

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Gary Shimun, Town Administrator / 954-797-1030

PREPARED BY: Phillip R. Holste, Program Manager / 954-797-1041

SUBJECT: Resolution

AFFECTED DISTRICT: 4

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE APPLICATION TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) FOR THE RELEASE FOR CANAL AND MINERAL RESERVATIONS TO THE TOWN OF DAVIE; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: The Town of Davie and Home Dynamics have a wetland mitigation agreement for the Van Kirk property through R2004-81. The project is currently in wetland permitting through the South Florida Water Management District (SFWMD). As part of the permitting, the Town needs to submit an application to SFWMD for the release of mineral and canal reservations for the subject site. If approved, SFWMD will transfer these reservation rights to the Town of Davie.

PREVIOUS ACTIONS: None

CONCURRENCES: Town Attorney's Office has reviewed the item for legal sufficiency

FISCAL IMPACT: No

Has request been budgeted? n/a

RECOMMENDATION(S):

Attachment(s): Resolution, Application

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE APPLICATION TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) FOR THE RELEASE OF CANAL AND MINERAL RESERVATIONS TO THE TOWN OF DAVIE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie and Home Dynamics have an agreement for wetland mitigation at the Van Kirk site; and

WHEREAS, the project is currently being permitted through SFWMD; and

WHEREAS, the Town needs to submit an application to SFWMD, requesting the release of canal and mineral reservations; and

WHEREAS, this application will further the Van Kirk wetland permitting process.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie hereby approves the SFWMD application submittal and authorizes the Mayor to execute the application of which is attached as Exhibit "A", on behalf of the Town.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007.

ER

MAYOR/COUNCILMEMB

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.

**Exhibit A: Application for Release of Mineral, Canal, and Road Reservations from
SFWMD**



South Florida Water Management District
 3301 Gun Club Road • West Palm Beach, Florida 33406
 561-686-8800 • FL WATS 1-800-432-2045 • www.sfwmd.gov
 MAILING ADDRESS: P.O. Box 24680 • West Palm Beach, FL 33416-4680

sfwmd.gov

Form #0108
 Rev 7/06

DO NOT ALTER FORM

Application For Release of Mineral, Canal, and Road Reservations Reserved
UNDER CHAPTER 6456, 7305, 14717 and 20658, LAW OF FLORIDA

RESERVATIONS REQUESTED TO BE RELEASED CANAL: X COUNTY ROAD: STATE ROAD: MINERAL: X

(If parcel is 1.25 acres or less) OR (if parcel is more than 1.25 acres, all land uses EXCEPT agricultural) MINERAL – NON USE COMMITMENT:

REQUIREMENTS FOR PROCESSING TO BE PROVIDED BY APPLICANT* (submit in triplicate, attach exhibits when applicable – facsimile transmissions and/or paper NOT ACCEPTABLE):

1. Accurate legal description of subject property: (Lengthy and/or metes and bounds legal descriptions must be submitted in a legible and recordable form for attachment as exhibit to release instrument) _____

All of Block 1, less the North 1,196 feet thereof, of VAN KIRK GROVE, according to the Plat thereof, as recorded in Plat Book 15, at Page 45 of the Public Records of Broward County, Florida.

Section 14 , Township 50 South, Range 40 East.

2. Property Address or Street Location of vacant land: East side of SW 136TH Avenue, north of SW 26th Street.

3. Size of parcel to be released: 115.05 acres or 5,011,595 square feet.

4. Name of municipality and/or drainage district or county water management in which property is located:

Town of Davie – Central Broward Water Control District

5. **LEGIBLE** survey, Sketch of property, or copy of plat (Subdivision MUST show relationship of land described in application to land described in Reserving Deed. Underlying tracts must be indicated when replat(s) exist.) DO NOT SEND PALM BEACH FARMS CO. PLAT NO. 3 or any other Plat in Dade/Broward.

6. ZONING CODE:

a) Current Zoning Code: A-1 - Agriculture

b) Proposed Zoning Code: A-1 - Agriculture

c) Current Land Use: Residential 1 du/ac

d) Proposed Land Use: Residential 1 du/ac

e) Number of Units: None

f) Describe property improvements Conservation Easement

Section 14 , Township 50 South, Range 40 East.

Applicant File No. _____

District File No. _____

****FAILURE TO SUBMIT A COMPLETED APPLICATION WILL DELAY PROCESSING AND/OR RESULT IN YOUR APPLICATION BEING RETURNED.**

7. **RESERVING DEED(s)** (must attach copy of each), Multiple applications are not necessary if parcel is owned by a single owner.

a) **EVERGLADES DRAINAGE DISTRICT** (Chapters 6456, 14717, 20658) Deed No. _____ dated _____
Deed Book _____ at Page _____ County _____; Deed No. _____ dated _____
Deed Book _____ at Page _____ County _____

b) **TRUSTEES OF THE INTERNAL IMPROVEMENT FUND** (Chapters 6456, 6957, 7305) Deed No. 16571 dated 9/24/17
Deed Book 7 at Page 576 County Broward; Deed No. _____ dated _____
Deed Book _____ at Page _____ County _____

c) **APPROVAL for TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND/STATE BOARD OF EDUCATION/THIRD PARTY DEEDS**
(Florida Statutes 253.03 and 270.11) Deed No. _____ dated _____ Deed Book _____ at Page _____
County _____; Deed No. _____ dated _____ Deed Book _____ at Page _____
County _____

(SFWMD has no interest in Trustees/Murphy Act Mineral or Road Reservations.. Call Gloria Barber at 850-245-2720)

8. I hereby certify that title to the above described real property is vested in (attached Beneficial Interest and Disclosure Affidavit is required if owned by a Corporation, Partnership or Trust): The Town of Davie, a Florida municipal corporation

CERTIFICATE OF OWNERSHIP: Satisfactory evidence certifying that the applicant is the legal record owner of the subject property. Definition of satisfactory evidence: a current title insurance policy; current title binder; or current title commitment issued by a title insurance company authorized to do business in the State of Florida; or a current Opinion of Title prepared by a member of the Florida Bar, covering subject property. Current means no older than six (6) months.

Signature (Owner or Applicant)

Title

Date

10. NAME AND ADDRESS TO WHOM RELEASE/APPROVAL IS TO BE SENT:

SARAH STEWART, AICP
SSCONSULTING, LLC
10228 Highbury Lane
St. Louis, MO 63123

Telephone No. 954-292-9697

An initial payment of \$250 must accompany each application. Make checks payable to SOUTH FLORIDA WATER MANAGEMENT DISTRICT. You will be advised if additional charges are indicated (see attached Fee Schedule).

FOR DISTRICT USE:

SERVICE CENTERS: ____ Release upon local approval. ____ Do not release. Remarks: _____

Signed by: _____ Date: _____

OPERATIONS AND MAINTENANCE: ____ Release upon local approval. ____ Do not release. Remarks: _____

Signed by: _____ Date: _____

WATER SUPPLY AND DEVELOPMENT DEPARTMENT:

____ Release upon local approval. ____ Do not release. Remarks: : _____

Signed by: _____ Date: _____

CONSTRUCTION AND ENGINEERING DIVISION:

____ Release upon local approval. ____ Do not release. Remarks: : _____

Signed by: _____ Date: _____

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